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November 23, 2018

VIA ECF

Honorable Madeline Cox Arleo
United States District Judge
United States District Court for the District of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07101

Re: Alpha Cepheus, LLC, et al. v. Chinh Chu, et al.,
Civil Action No. 18-cv-14322 (MCA) (MAH)

Dear Judge Arleo:

We represent Defendants Chinh Chu and Douglas Newton in the above-referenced matter and we write regarding Defendants' Opposition to Plaintiffs' Motion for Reconsideration filed November 21, 2018.

Counsel for Plaintiffs has called our attention to the fact that Monday, November 12, 2018 was observed as a court holiday (Veterans Day) in the District of New Jersey, thereby extending Plaintiffs' deadline for filing a motion for reconsideration to Tuesday, November 13. Accordingly, we do not press our argument in the first paragraph of Section I of our brief that Plaintiffs' motion is void because it is untimely.

We do, however, stand by our position in paragraph two of Section I in arguing that Plaintiffs' lack of urgency in seeking reconsideration (regardless of whether they filed on Day 14 or Day 15) undercuts the credibility of their claim that they require emergency relief from the Court. We also stand by our position in paragraph three of Section I that Plaintiffs cannot avoid the general standards applicable to motions for reconsideration by alternatively styling their application as a "new motion." The fact that we now understand that Plaintiffs took into account Veterans Day in calculating the deadline for their submission reinforces that the motion falls under Local Rule 7.1 and must be judged by the strict standards that apply to motions for reconsideration.

November 23, 2018

Page 2

Thank you for Your Honor's consideration of this matter. We are available at the Court's convenience to answer any questions.

Respectfully submitted,

CARELLA, BYRNE, CECCHI,
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Cc. All Counsel (via ECF)